

App. No. 09/893,293

Election under 37 CFR §1.142
Preliminary amendment under 37 CFR §1.115**AMENDMENTS TO THE CLAIMS**

Please amend the claims as set forth hereinbelow.

1.-28. **(cancelled)**

29. **(currently amended)** A method for acquisition, evaluation, inventory, distribution, and re-sale of pre-owned recorded data products by a data product re-seller, the method comprising the steps of:

- reading data from a data product offered by an owner of the data product;
- comparing data read from the data product with data in a data product information database;
- identifying the data product, if the data product is identified as being listed in the data product information database;
- quantitatively evaluating the integrity of a data set recorded on the data product and computing a data integrity rating for the data product;
- determining a purchase price for the data product to be offered by the re-seller to the owner of the data product, the purchase price being determined based on ~~at least one of~~ the data integrity rating for the data product, inventory information for the data product from a data product inventory database, order information for the data product in a data product order database, ~~and~~ or previous purchase and re-sale information for the data product from a data product sales database;
- updating inventory information in response to a purchase of the data product from the owner by the re-seller;
- determining a re-sale price for the data product to be offered by the re-seller to a buyer of the data product, the purchase price being determined based on ~~at least one of~~ the data integrity rating, inventory information, order information, ~~and~~ or previous purchase and re-sale information; and
- updating ~~at least one of~~ inventory information, order information, ~~and~~ or sales information in response to a re-sale of the data product by the re-seller to the buyer.

30. **(original)** The method of Claim 29, wherein the data product comprises a CD.

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31. **(original)** The method of Claim 29, wherein the data product comprises a DVD.
32. **(currently amended)** The method of Claim 29, wherein the evaluating step: comprises at least two of the steps of
enumerating data subsets that are unreadable,
enumerating data subsets that are erroneously read and uncorrected, and
enumerating data subsets that are initially erroneously read and subsequently corrected; and
further comprises the step of computing a data integrity rating for the data set using ~~at least one of~~ enumerations of the unreadable data subsets, the erroneously-read-and-uncorrected data subsets, ~~and~~ or the erroneously-read-and-corrected data subsets.
33. **(original)** The method of Claim 29, wherein the data product includes error correction codes, and the evaluating step comprises the steps of:
enumerating data subsets that are initially erroneously read and subsequently corrected; and
computing a data integrity rating for the data set using enumeration of erroneously-read-and-corrected data subsets.
34. **(currently amended)** The method of Claim 29, wherein the data product includes error correction codes, and the evaluating step comprises the steps of:
enumerating data subsets that are initially erroneously read and subsequently corrected, and
determining an over-sampled rating for the erroneously-read-and-corrected subsets; and
computing a data integrity rating for the data set using ~~at least one of~~ enumeration of the erroneously-read-and-correct data subsets ~~and~~ or the over-sampled rating.
35. **(original)** The method of Claim 29, further comprising the step of prompting a user to enter data product information for the data product into the data product information database, if the data product is not identified as being listed in the product information database.

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36. **(currently amended)** The method of Claim 29, wherein:
the data product is a music CD and the data product databases are music CD
databases, and the method further comprises ~~at least one of~~ the steps of
reading and storing in the music CD information database any of track
information, title, and artist from the CD that is not already stored in the
music CD database,
prompting a user to scan cover art of the music CD and storing cover art thus
scanned into the music CD information database, if the cover art is not
already present in the music CD database,
prompting a user to scan lyrics of the music CD and storing lyrics thus scanned
into the music CD information database, if the lyrics are not already present
in the music CD database, ~~and~~ or
prompting a user to scan liner notes of the music CD and storing liner notes
thus scanned into the music CD information database, if the liner notes are
not already present in the music CD database.
37. **(original)** The method of Claim 29, wherein:
the data product is a music CD, and data product information database is a music
CD information database; and
the method further comprises the steps of analyzing music data recorded on
tracks of the music CD to generate unique track identification data therefor
and storing the track identification information in the music CD information
database, if the track identification information is not already present in the
music CD information database.
38. **(original)** The method of Claim 29, further comprising the step of enabling the
buyer independently to quantitatively evaluate the integrity of the data set recorded
on a re-sold data product and to compute the data integrity rating for the re-sold
data product, thereby enabling the buyer to verify the data integrity rating of the re-
sold data product and compare it to re-seller-reported data integrity rating.
- 39.-132. **(cancelled)**

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